Shelly Lam/R5/USEPA/US

0 1 line ex. 4

08/23/2011 02:32 PM

cc bcc

Subject Fw: Kokomo City Dump XRF results

## 3 lines ex. 5 deliberative, ex. 4

Shelly Lam, LPG

Federal On-Scene Coordinator

United States Environmental Protection Agency Office: 317.308.3073 | Cell: 317.417.0980

Lam.Shelly@epa.gov

2525 N. Shadeland Avenue, Indianapolis, IN 46219

www.epa.gov

---- Forwarded by Shelly Lam/R5/USEPA/US on 08/23/2011 03:31 PM -----

From: "JOHNSON, TIM" <TJOHNSON@idem.IN.gov>

To: Shelly Lam/R5/USEPA/US@EPA

Cc: "HAUER, GABRIELE" < GHAUER@idem.IN.gov>

Date: 08/23/2011 11:16 AM

Subject: Kokomo City Dump XRF results

Shelly, Here are the results of the XRF readings for the Kokomo City Dump removal Assessment on Friday. If you can share your GPS data with me I will get Diane Osborn to enter it into our sample





database as well. Kokomo City Dump XRF data.xlsx Kokomo Dump Coordinates.pdf

SALLY JANSEN/R5/USEPA/US To Maria Gonzalez

cc bcc

11/10/2011 04:12 PM

Subject Fw: Kokomo Dump - Access Agreement

---- Forwarded by SALLY JANSEN/R5/USEPA/US on 11/10/2011 04:12 PM -----

From: Shelly Lam/R5/USEPA/US

To: SALLY JANSEN/R5/USEPA/US@EPA

Date: 11/10/2011 10:49 AM

Subject: Re: Kokomo Dump - Access Agreement

## Sally,

## 4 lines Ex. 5 Deliberative process

## Shelly

Shelly Lam, LPG

Federal On-Scene Coordinator

United States Environmental Protection Agency

Office: 317.308.3073 | Cell: 317.417.0980

Lam.Shelly@epa.gov

2525 N. Shadeland Avenue, Indianapolis, IN 46219

www.epa.gov

### -----SALLY JANSEN/R5/USEPA/US wrote: -----

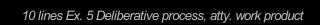
To: Shelly Lam/R5/USEPA/US@EPA From: SALLY JANSEN/R5/USEPA/US

Date: 11/09/2011 08:12PM

Subject: Kokomo Dump - Access Agreement

## Shelly -





Sally (312) 353-9046

Sally Jansen, Enforcement Specialist U.S. EPA Region 5 77 W. Jackson Blvd. SE-5J Chicago, IL 60604

Phone: (312) 353-9046 Fax: (312) 582-5166

E-mail: jansen.sally@epa.gov



Shelly Lam/R5/USEPA/US

To SALLY JANSEN

11/29/2011 02:24 PM

cc Maria Gonzalez

bcc

Subject Re: Kokomo Dump Site: Parcels? Ditch? Creek?

## 3 lines Ex. 5 deliberative atty-client

Shelly Lam, LPG Federal On-Scene Coordinator

United States Environmental Protection Agency

Office: 317.308.3073 | Cell: 317.417.0980

Lam.Shelly@epa.gov

2525 N. Shadeland Avenue, Indianapolis, IN 46219

www.epa.gov



Map with Ditch and Drums.pdf

SALLY JANSEN Shelly - I am sending the following lin... 11/29/2011 02:39:26 PM

From: SALLY JANSEN/R5/USEPA/US
To: Shelly Lam/R5/USEPA/US@EPA

Cc: Maria Gonzalez/R5/USEPA/US@EPA, HABERT C. SARA

Date: 11/29/2011 02:39 PM

Subject: Kokomo Dump Site: Parcels? Ditch? Creek?

Shelly -

10 lines Ex. 5 Deliberative process, atty. -client, work product

Sally (3120 353-9046

Nabil Fayoumi /R5/USEPA/US

To Maria Gonzalez, Shelly Lam

11/30/2011 09:23 AM

cc

Subject Fw: Kokomo Dump Site: Parcels? Ditch? Creek? and GW O&M Plan

fyi

>>>>>>>>>>>>>>>

Nabil Fayoumi Remedial Project Manager Superfund Division EPA - Region 5 Phone: 312-886-6840

Toll free (800)621-8431 ext 66840 Cell (Urgent Calls Only) 630-222-4719

Fax: 312-886-4071

E-mail: fayoumi.nabil@epa.gov

---- Forwarded by Nabil Fayoumi/R5/USEPA/US on 11/30/2011 09:22 AM -----

From: "FLISS, JESSICA" <JFLISS@idem.IN.gov>
To: Nabil Fayoumi/R5/USEPA/US@EPA

Date: 11/30/2011 09:19 AM

Subject: RE: Kokomo Dump Site: Parcels? Ditch? Creek? and GW O&M Plan

Ah, yes. I've been asked about this parcel before, and whether or not it could be seen from the slag area. This particular parcel is not in any way associated with Continental to my knowledge, and isn't even along the creek. What it is along is that old railroad grade and perhaps an extension of Shambaugh run, if it continues across the creek and along the railroad tracks. I'd say that looks it might be more a city or Haynes issue than Continental steel. Haynes makes metal alloys, if I remember correctly. Also - that drum might just be a bunch of old metal scraps mixed with dirt or other junk from some old shop in Kokomo, given how old the dump is.

Another thing to consider, although it could be touchy, is Chrysler or GM. That paint drum reminds me of Lakeland disposal Landfill, where we had a lot of drums of old GM vehicle paint.

And agreed, most of the drums we've seen from Continental are either empty or full of No 6 fuel oil, or the ones in the Quarry had TCE, I think, didn't they?

Jessica Huxhold Fliss, Senior Environmental Manager

Federal Programs Section Office of Land Quality Phone: 317.233.2823 Fax: 317.234.0428

----Original Message----

From: Fayoumi.Nabil@epamail.epa.gov [mailto:Fayoumi.Nabil@epamail.epa.gov]

Sent: Wednesday, November 30, 2011 9:40 AM

To: FLISS, JESSICA

Subject: Fw: Kokomo Dump Site: Parcels? Ditch? Creek? and GW O&M Plan

(See attached file: O&M\_groundwater\_final\_february 2005.pdf)

Nabil Fayoumi

Remedial Project Manager

Superfund Division EPA - Region 5

Phone: 312-886-6840

Toll free (800)621-8431 ext 66840 Cell (Urgent Calls Only) 630-222-4719

Fax: 312-886-4071

E-mail: fayoumi.nabil@epa.gov

---- Forwarded by Nabil Fayoumi/R5/USEPA/US on 11/30/2011 08:38 AM

----

From: Maria Gonzalez/R5/USEPA/US
To: Nabil Fayoumi/R5/USEPA/US@EPA

Cc: Thomas Krueger/R5/USEPA/US@EPA, Maria

Gonzalez/R5/USEPA/US@EPA, Jansen.Sally@EPA.GOV, Shelly

Lam/R5/USEPA/US@EPA

Date: 11/29/2011 03:24 PM

Subject: Re: Fw: Kokomo Dump Site: Parcels? Ditch? Creek?

## 9 lines Ex. 5 Deliberative process, atty. -client, work product

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

From: Nabil Fayoumi/R5/USEPA/US

To: Maria Gonzalez/R5/USEPA/US@EPA
Cc: Thomas Krueger/R5/USEPA/US@EPA

Date: 11/29/2011 03:11 PM

Subject: Re: Fw: Kokomo Dump Site: Parcels? Ditch? Creek?

3 lines Ex. 5 Deliberative process, atty. -client

Nabil Fayoumi

Remedial Project Manager

Superfund Division EPA - Region 5

Phone: 312-886-6840

Toll free (800)621-8431 ext 66840 Cell (Urgent Calls Only) 630-222-4719

Fax: 312-886-4071

E-mail: fayoumi.nabil@epa.gov

----Maria Gonzalez/R5/USEPA/US wrote: ----

To: Nabil Fayoumi/R5/USEPA/US@EPA From: Maria Gonzalez/R5/USEPA/US

Date: 11/29/2011 03:00PM

Cc: Maria Gonzalez/R5/USEPA/US@EPA, Shelly Lam/R5/USEPA/US@EPA,

Jansen.Sally@EPA.GOV

Subject: Fw: Kokomo Dump Site: Parcels? Ditch? Creek?

Nabil,

10 lines Ex. 5 Deliberative process, atty. -client

Thanks,

Maria Gonzalez
Associate Regional Counsel
Mail Code C-14J
U.S. EPA Region 5
77 West Jackson Blvd.
Chicago, Illinois 60604
(312) 886-6630
---- Forwarded by Maria Go

---- Forwarded by Maria Gonzalez/R5/USEPA/US on 11/29/2011 02:42 PM

----

From: Shelly Lam/R5/USEPA/US
To: SALLY JANSEN/R5/USEPA/US@EPA
Cc: Maria Gonzalez/R5/USEPA/US@EPA

Date: 11/29/2011 02:22 PM

Subject: Re: Kokomo Dump Site: Parcels? Ditch? Creek?

Sally,

## 3 lines Ex. 5 Deliberative process, atty. -client

Shelly Lam, LPG

Federal On-Scene Coordinator

United States Environmental Protection Agency

Office: 317.308.3073 | Cell: 317.417.0980 Lam.Shelly@epa.gov

2525 N. Shadeland Avenue, Indianapolis, IN 46219 www.epa.gov

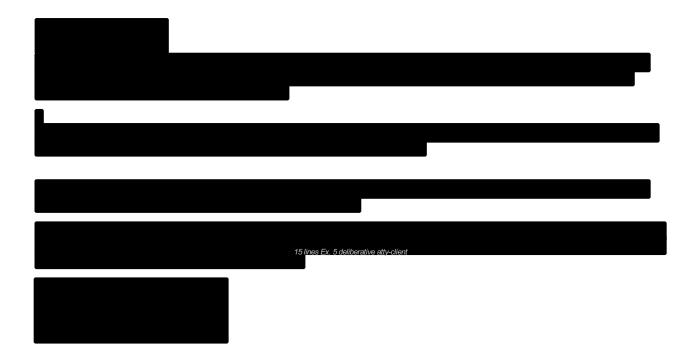
(See attached file: Map with Ditch and Drums.pdf)
SALLY JANSEN---11/29/2011 02:39:26 PM--2 lines Ex. 5 deliberative atty-client

From: SALLY JANSEN/R5/USEPA/US
To: Shelly Lam/R5/USEPA/US@EPA

Cc: Maria Gonzalez/R5/USEPA/US@EPA, HABERT C. SARA

Date: 11/29/2011 02:39 PM

Subject: Kokomo Dump Site: Parcels? Ditch? Creek?



[attachment "Map with Ditch and Drums.pdf" removed by Nabil Fayoumi/R5/USEPA/US]

Shelly Lam/R5/USEPA/US

02/14/2012 06:07 AM

To "Maria Gonzalez" cc "Sally Jansen"

bcc

Subject Fw: Kokomo Former Town Dump Meeting

## 1 line Ex. 5 Deliberative nonresponsive

Shelly Lam, LPG

Federal On-Scene Coordinator

Office: 317.308.3073 | Cell: 317.417.0980

Lam.Shelly@epa.gov

U.S. Environmental Protection Agency 2525 N. Shadeland Avenue, Suite 100 Indianapolis, IN 46219

From: Christopher Cooper [ccooper@cityofkokomo.org]

Sent: 02/14/2012 12:02 PM GMT

To: Shelly Lam

Cc: Jack Harrison < jharrison@cityofkokomo.org>; Lawrence McCormack < lmccormack@cityofkokomo.org>;

Don Cree <dcree@cityofkokomo.org>; Mikki Jeffers <mikki@countyrecycling.org>; Rhonda Huffer

<rhuffer@cityofkokomo.org>

Subject: RE: Kokomo Former Town Dump Meeting

Shelly,

It looks like March 5<sup>th</sup> is a good date to try to get together. Let me know if this works for you.

## **Thanks**

Chris Cooper, Superintendent City of Kokomo Wastewater Treatment Plant

1501 W. Markland Ave. Kokomo, IN 46901 Office: (765) 457-5509 Fax: (765) 457-9781

Email: ccooper@cityofkokomo.org

From: Christopher Cooper

Sent: Friday, February 10, 2012 8:03 AM

**To:** Shelly Lam

Subject: Re: Kokomo Former Town Dump Meeting

I was just thinking about you. I will contact everyone involved and get back with you.

Thank you.

Sent from my Verizon Wireless 4G LTE Phone

----Original message-----

**From:** Shelly Lam <Lam.Shelly@epamail.epa.gov> **To:** Christopher Cooper <ccooper@cityofkokomo.org>

**Sent:** Fri, Feb 10, 2012 07:47:19 EST

Subject: Kokomo Former Town Dump Meeting

Hi Chris,

The Super Bowl is finally over and I now have time to devote to other projects. We had discussed setting up a meeting about the former town dump in Kokomo. Please let me know your availability and the availability of the other attendees for a meeting in March. I will not be available the week of March 12th but otherwise I am fairly open.

Thanks, Shelly

Shelly Lam, LPG
Federal On-Scene Coordinator
United States Environmental Protection Agency
2525 N. Shadeland Avenue, Indianapolis, IN 46219
317.417.0980
Lam.Shelly@epa.gov
www.epa.gov

SALLY JANSEN/R5/USEPA/US

02/27/2012 05:06 PM

To Shelly Lam

cc "Maria Gonzalez"

bcc

Subject Re: Fw: Kokomo Former Town Dump Meeting

## 2 lines Ex. 5 Deliberative atty-client

Shelly Lam Will March 5 work for you for a meeting... 02/14/2012 06:07:23 AM

From: Shelly Lam/R5/USEPA/US

To: "Maria Gonzalez" <Gonzalez.Maria@epamail.epa.gov>
Cc: "Sally Jansen" <Jansen.Sally@epamail.epa.gov>

Date: 02/14/2012 06:07 AM

Subject: Fw: Kokomo Former Town Dump Meeting

## 1 line Ex. 5 Deliberative nonresponsive

Shelly Lam, LPG

Federal On-Scene Coordinator

Office: 317.308.3073 | Cell: 317.417.0980

Lam.Shelly@epa.gov

U.S. Environmental Protection Agency 2525 N. Shadeland Avenue, Suite 100 Indianapolis, IN 46219

From: Christopher Cooper [ccooper@cityofkokomo.org]

Sent: 02/14/2012 12:02 PM GMT

To: Shelly Lam

Cc: Jack Harrison <jharrison@cityofkokomo.org>; Lawrence McCormack <lmccormack@cityofkokomo.org>;

Don Cree <dcree@cityofkokomo.org>; Mikki Jeffers <mikki@countyrecycling.org>; Rhonda Huffer

<rhuffer@cityofkokomo.org>

Subject: RE: Kokomo Former Town Dump Meeting

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Office: (765) 457-5509 Fax: (765) 457-9781

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Thanks, Shelly

Shelly Lam, LPG
Federal On-Scene Coordinator
United States Environmental Protection Agency
2525 N. Shadeland Avenue, Indianapolis, IN 46219
317.417.0980
Lam.Shelly@epa.gov
www.epa.gov

Maria Gonzalez/R5/USEPA/US

02/27/2012 05:25 PM

To Shelly Lam cc Jansen.Sally

bcc

Subject Fw: Kokomo Former Town Dump Meeting

Shelly,

#### 2 lines Ex. 5 Deliberative nonresponsive

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

----- Forwarded by Maria Gonzalez/R5/USEPA/US on 02/27/2012 05:22 PM -----

From: SALLY JANSEN/R5/USEPA/US
To: Shelly Lam/R5/USEPA/US@EPA

Cc: "Maria Gonzalez" <Gonzalez.Maria@epamail.epa.gov>

Date: 02/27/2012 05:06 PM

Subject: Re: Fw: Kokomo Former Town Dump Meeting

## 2 lines Ex. 5 Deliberative atty-client

Shelly Lam Will March 5 work for you for a meeting... 02/14/2012 06:07:23 AM

From: Shelly Lam/R5/USEPA/US

To: "Maria Gonzalez" <Gonzalez.Maria@epamail.epa.gov>
Cc: "Sally Jansen" <Jansen.Sally@epamail.epa.gov>

Date: 02/14/2012 06:07 AM

Subject: Fw: Kokomo Former Town Dump Meeting

#### 1 line Ex. 5 Deliberative nonresponsive

Shelly Lam, LPG

Federal On-Scene Coordinator

Office: 317.308.3073 | Cell: 317.417.0980

Lam.Shelly@epa.gov

U.S. Environmental Protection Agency 2525 N. Shadeland Avenue, Suite 100 Indianapolis, IN 46219

**From:** Christopher Cooper [ccooper@cityofkokomo.org]

Sent: 02/14/2012 12:02 PM GMT

To: Shelly Lam

Cc: Jack Harrison < jharrison@cityofkokomo.org>; Lawrence McCormack < lmccormack@cityofkokomo.org>;

Don Cree <dcree@cityofkokomo.org>; Mikki Jeffers <mikki@countyrecycling.org>; Rhonda Huffer <rhuffer@cityofkokomo.org>

Subject: RE: Kokomo Former Town Dump Meeting

Shelly,

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### **Thanks**

Chris Cooper, Superintendent City of Kokomo Wastewater Treatment Plant 1501 W. Markland Ave. Kokomo, IN 46901 Office: (765) 457-5509

Fax: (765) 457-9781

Email: ccooper@cityofkokomo.org

From: Christopher Cooper

Sent: Friday, February 10, 2012 8:03 AM

**To:** Shelly Lam

Subject: Re: Kokomo Former Town Dump Meeting

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Sent from my Verizon Wireless 4G LTE Phone

----Original message-----

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Sent: Fri, Feb 10, 2012 07:47:19 EST

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Thanks, Shelly

Shelly Lam, LPG Federal On-Scene Coordinator United States Environmental Protection Agency 2525 N. Shadeland Avenue, Indianapolis, IN 46219 317.417.0980 Lam.Shelly@epa.gov www.epa.gov

Maria Gonzalez/R5/USEPA/US

cc SALLY JANSEN

To Shelly Lam

02/29/2012 04:17 PM

bcc

Subject Re: Fw: Meeting

## 1 line Ex. 5 Deliberative nonresponsive

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

Shelly Lam The 21st won't work for a meeting in Ko... 02/28/2012 08:09:34 AM

From: Shelly Lam/R5/USEPA/US

To: Gonzalez.Maria@epamail.epa.gov, SALLY JANSEN/R5/USEPA/US@EPA

Date: 02/28/2012 08:09 AM

Subject: Fw: Meeting

## 4 lines Ex. 5 deliberative

Shelly Lam, LPG
Federal On-Scene Coordinator
United States Environmental Protection Agency
2525 N. Shadeland Avenue, Indianapolis, IN 46219
317.417.0980
Lam.Shelly@epa.gov
www.epa.gov

---- Forwarded by Shelly Lam/R5/USEPA/US on 02/28/2012 09:09 AM -----

From: Christopher Cooper <a href="mailto:ccooper@cityofkokomo.org">ccooper@cityofkokomo.org</a>

To: Shelly Lam/R5/USEPA/US@EPA

Date: 02/28/2012 09:07 AM Subject: RE: Meeting

Shelly,

The 21<sup>st</sup> isn't good. Please check your availability for the following dates:

March 14, 15, 16, 20, 22, 23

Let me know what you think.

#### Thanks

Chris Cooper, Superintendent City of Kokomo Wastewater Treatment Plant 1501 W. Markland Ave. Kokomo, IN 46901

Office: (765) 457-5509 Fax: (765) 457-9781

Email: ccooper@cityofkokomo.org

From: Shelly Lam [mailto:Lam.Shelly@epamail.epa.gov]

Sent: Tuesday, February 28, 2012 7:16 AM

**To:** Christopher Cooper **Subject:** Meeting

Chris,

Can we reschedule the meeting for the 21st at 1 p.m.? My attorney and enforcement specialist would like to attend and they would be traveling from Chicago.

Sorry for all the changes.

Shelly

Shelly Lam, LPG
Federal On-Scene Coordinator
United States Environmental Protection Agency
2525 N. Shadeland Avenue, Indianapolis, IN 46219
317.417.0980
Lam.Shelly@epa.gov
www.epa.gov

## Shelly Lam/R5/USEPA/US

To Gordon Clarke

03/26/2012 10:20 AM

cc bcc

Subject Administrative Record - Kokomo Dump Site (C564)

# 4 lines Ex. 5 deliberative

Shelly Lam, LPG Federal On-Scene Coordinator United States Environmental Protection Agency 2525 N. Shadeland Avenue, Indianapolis, IN 46219 317.417.0980 Lam.Shelly@epa.gov www.epa.gov







ToxFAQ PCB.pdf 21066-IDEM\_Rpt-Kokomo\_City\_Dump.pdf Kokomo Dump ARARs 3\_23\_2012.pdf







Kokomo Dump ARARS Letter.pdf Kokomo Dump\_Site Assessment Report\_Final.pdf ToxFAQ Arsenic.pdf





ToxFAQ Dioxin.pdf ToxFAQ Lead.pdf

SALLY JANSEN/R5/USEPA/US

04/10/2012 10:25 AM

To Lawrence McCormack

cc Maria Gonzalez, Shelly Lam

bcc

Subject RE: RE:

I am working at home today and am available for the call at any time.

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

Sally Jansen, Enforcement Specialist U.S. EPA Region 5 77 W. Jackson Blvd. SE-5J Chicago, IL 60604 Phone: (312) 353-9046 Fax: (312) 582-5166

E-mail: jansen.sally@epa.gov

-----Lawrence McCormack < Imccormack@cityofkokomo.org > wrote: -----

To: Maria Gonzalez/R5/USEPA/US@EPA

From: Lawrence McCormack < Imccormack@cityofkokomo.org>

Date: 04/10/2012 09:54AM

Cc: SALLY JANSEN/R5/USEPA/US@EPA, Shelly Lam/R5/USEPA/US@EPA

Subject: RE: RE:

I have a previous commitment at 4pm. Would another time work today? Tomorrow is very busy for me.

## Lawrence McCormack

#### **Corporation Counsel**

City of Kokomo

100 S. Union St.

Kokomo, IN 46901

(765) 456-7440

lmccormack@cityofkokomo.org

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**From:** Maria Gonzalez [mailto:Gonzalez.Maria@epamail.epa.gov]

**Sent:** Tuesday, April 10, 2012 10:43 AM

**To:** Lawrence McCormack

Cc: Maria Gonzalez; SALLY JANSEN; Shelly Lam

Subject: RE:

How about 4 PM ET (3PM) Chicago? Would you like Shelly on the line as well, for technical questions?

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

Lawrence McCormack ---04/10/2012 08:14:34 AM---Thank you for confirming that you received the information. Maria, would you have time today to dis

From: Lawrence McCormack < lmccormack@cityofkokomo.org >

To: SALLY JANSEN/R5/USEPA/US@EPA Co: Maria Gonzalez/R5/USEPA/US@EPA

Date: 04/10/2012 08:14 AM

Subject: RE:

Thank you for confirming that you received the information. Maria, would you have time today to discuss the letter that we received regarding the general notice of potential liability?

Thanks,
-Lawrence

## Lawrence McCormack

**Corporation Counsel** 

City of Kokomo 100 S. Union St. Kokomo, IN 46901 (765) 456-7440

lmccormack@citvofkokomo.org

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From: SALLY JANSEN [mailto:Jansen.Sally@epamail.epa.gov]

**Sent:** Monday, April 09, 2012 7:32 PM

To: Lawrence McCormack

**Cc:** Maria Gonzalez

**Subject:** 

Mr. McCormack,

I received the title documents and CD with aerial photos today. Thanks very much.

## Sally

\*\*\*\*\*\*\*\*\*\*\*\*\*\*

Sally Jansen, Enforcement Specialist U.S. EPA Region 5 77 W. Jackson Blvd. SE-5J Chicago, IL 60604 Phone: (312) 353-9046 Fax: (312) 582-5166

E-mail: jansen.sally@epa.gov

Maria Gonzalez/R5/USEPA/US 04/12/2012 04:17 PM To Jansen.Sally cc Shelly Lam

bcc

Subject Re: Kokomo Dump Site: DRAFT Title Search Report

8 lines Ex. 5 Deliberative, atty-client, atty WP



p.s.

2 lines Ex. 5 Deliberative

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

Maria Gonzalez/R5/USEPA/US 04/16/2012 11:29 AM To Sandra Lee, THOMAS MARKS CC Shelly Lam, Jansen.Sally

bcc

Subject Fw: Kokomo Dump Site: General Notice of Potential Liability

10 lines Ex. 5 Deliberative, atty-client, atty WP

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

---- Forwarded by Maria Gonzalez/R5/USEPA/US on 04/16/2012 10:51 AM -----

From: Lawrence McCormack < Imccormack@cityofkokomo.org >

To: SALLY JANSEN/R5/USEPA/US@EPA

Cc: Maria Gonzalez/R5/USEPA/US@EPA, Shelly Lam/R5/USEPA/US@EPA

Date: 04/16/2012 09:08 AM

Subject: RE: Kokomo Dump Site: General Notice of Potential Liability

#### Sally:

Attached is an electronic version of the City of Kokomo's response to the general notice of potential liability letter that was mailed to you today. I wanted to make sure you received an electronic copy also. I look forward to moving ahead with the negotiations regarding the Administrative Consent Order.

Thank you, -Lawrence

# Lawrence McCormack Corporation Counsel

City of Kokomo 100 S. Union St. Kokomo, IN 46901 (765) 456-7440 lmccormack@cityofkokomo.org

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From: SALLY JANSEN [mailto:Jansen.Sally@epamail.epa.gov]

**Sent:** Thursday, April 05, 2012 1:50 PM

**To:** Lawrence McCormack **Cc:** Maria Gonzalez; Shelly Lam

Subject: Kokomo Dump Site: General Notice of Potential Liability

Importance: High

Dear Mr. McCormack:

I am attaching an early courtesy copy of the General Notice of Potential Liability that the U.S. Environmental Protection Agency is sending by certified mail today to the City of Kokomo concerning the Kokomo Dump Site. The response is due within 10 calendar days from receipt of the certified letter. If you have any questions concerning the Notice, feel free to call or email Associate Regional Counsel Maria Gonzalez as indicated in the Notice. Thank you for your cooperation concerning this matter.

Sincerely,

Sally Jansen Enforcement Specialist

U.S. EPA Region 5 77 W. Jackson Blvd. SE-5J

Chicago, IL 60604

Phone: (312) 353-9046 Fax: (312) 582-5166

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

E-mail: jansen.sally@epa.gov

(See attached file: GNL TO KOKOMO, CITY OF 04-05-2012.pdf)

PDF

EPA General Notice of Potential Liability response.pdf

Maria Gonzalez/R5/USEPA/US 04/16/2012 11:29 AM To Sandra Lee, THOMAS MARKS cc Shelly Lam, Jansen.Sally

bcc

Subject Fw: Kokomo Dump Site: General Notice of Potential Liability

10 lines Ex. 5 Deliberative, atty-client, atty WP

Maria Gonzalez
Associate Regional Counsel
Mail Code C-14J
U.S. EPA Region 5
77 West Jackson Blvd.
Chicago, Illinois 60604
(312) 886-6630

---- Forwarded by Maria Gonzalez/R5/USEPA/US on 04/16/2012 10:51 AM -----

From: Lawrence McCormack < Imccormack@cityofkokomo.org >

To: SALLY JANSEN/R5/USEPA/US@EPA

Cc: Maria Gonzalez/R5/USEPA/US@EPA, Shelly Lam/R5/USEPA/US@EPA

Date: 04/16/2012 09:08 AM

Subject: RE: Kokomo Dump Site: General Notice of Potential Liability

#### Sally:

Attached is an electronic version of the City of Kokomo's response to the general notice of potential liability letter that was mailed to you today. I wanted to make sure you received an electronic copy also. I look forward to moving ahead with the negotiations regarding the Administrative Consent Order.

Thank you, -Lawrence

# Lawrence McCormack Corporation Counsel

City of Kokomo 100 S. Union St. Kokomo, IN 46901 (765) 456-7440 lmccormack@cityofkokomo.org

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Chicago, IL 60604

Phone: (312) 353-9046 Fax: (312) 582-5166

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

E-mail: jansen.sally@epa.gov

(See attached file: GNL TO KOKOMO, CITY OF 04-05-2012.pdf)

PDF

EPA General Notice of Potential Liability response.pdf

SALLY JANSEN/R5/USEPA/US

04/17/2012 12:02 PM

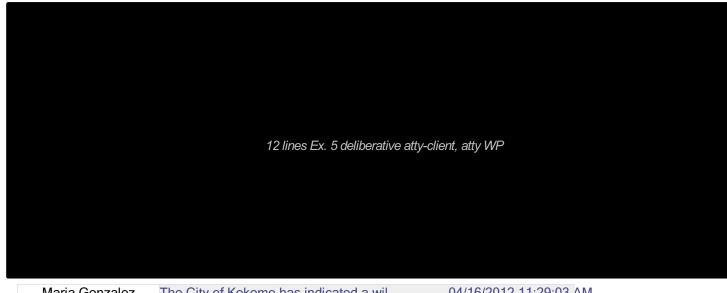
To Maria Gonzalez

cc Sandra Lee, Shelly Lam, THOMAS MARKS

bcc

Subject Re: Fw: Kokomo Dump Site: General Notice of Potential

Liability



Maria Gonzalez The City of Kokomo has indicated a wil... 04/16/2012 11:29:03 AM

Maria Gonzalez/R5/USEPA/US From:

Sandra Lee/R5/USEPA/US@EPA, THOMAS MARKS/R5/USEPA/US@EPA To:

Shelly Lam/R5/USEPA/US@EPA, Jansen.Sally@EPA.GOV Cc:

Date: 04/16/2012 11:29 AM

Subject: Fw: Kokomo Dump Site: General Notice of Potential Liability



Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

----- Forwarded by Maria Gonzalez/R5/USEPA/US on 04/16/2012 10:51 AM -----

From: Lawrence McCormack < Imccormack@cityofkokomo.org >

To: SALLY JANSEN/R5/USEPA/US@EPA

Cc: Maria Gonzalez/R5/USEPA/US@EPA, Shelly Lam/R5/USEPA/US@EPA

Date: 04/16/2012 09:08 AM

Subject: RE: Kokomo Dump Site: General Notice of Potential Liability

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Thank you,
-Lawrence

## Lawrence McCormack

## **Corporation Counsel**

City of Kokomo 100 S. Union St. Kokomo, IN 46901 (765) 456-7440

lmccormack@cityofkokomo.org

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Sally Jansen Enforcement Specialist \*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

Sally Jansen, Enforcement Specialist U.S. EPA Region 5 77 W. Jackson Blvd. SE-5J Chicago, IL 60604

Phone: (312) 353-9046 Fax: (312) 582-5166

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

E-mail: jansen.sally@epa.gov



EPA General Notice of Potential Liability response.pdf

2 lines Ex. 4 05/16/2012 04:06 PM

To SALLY JANSEN cc THOMAS MARKS

bcc

Subject RE: Kokomo Dump Title Search - 2 lines Ex. 5 deliberative atty WP

# 4 lines Ex. 5 deliberative atty WP

Lisa Graczyk

Dynamac Corporation

20 North Wacker Drive, Suite 1210

Chicago, IL 60606

(w) 312-424-3339

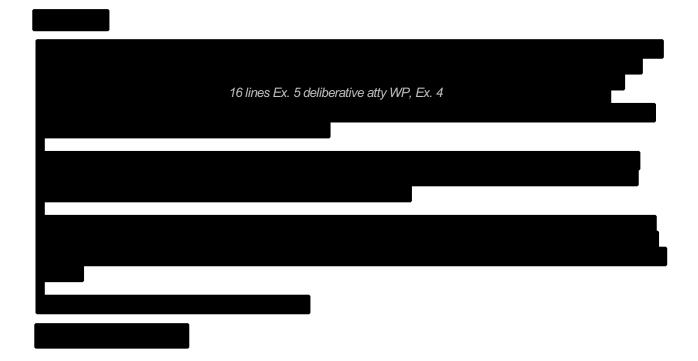
(c) 312-305-6745

From: SALLY JANSEN [mailto:Jansen.Sally@epamail.epa.gov]

Sent: Wednesday, May 16, 2012 2:34 PM

To: 1 name Ex. 4
Cc: THOMAS MARKS

Subject: RE: Kokomo Dump Title Search - Need better copy of land survey diagram if one exists



## Sally

-----Lisa Graczyk < LGraczyk@dynamac.com > wrote: -----

To: SALLY JANSEN/R5/USEPA/US@EPA

From: 1 lines Ex. 4
Date: 05/09/2012 10:56AM

Subject: RE: Kokomo Dump Title Search -

6 lines Ex. 5 deliberative atty WP, Ex. 4

## 1 lines Ex. 4

Dynamac Corporation
20 North Wacker Drive, Suite 1210
Chicago, IL 60606
(w) 312-424-3339
(c) 312-305-6745

From: SALLY JANSEN [mailto:Jansen.Sally@epamail.epa.gov]

Sent: Wednesday, May 09, 2012 10:41 AM

**To:** 1 line Ex. 4

**Subject:** Kokomo Dump Title Search - Need better copy of land survey diagram if one exists

5 lines Ex. 5 deliberative atty WP, Ex. 4



SallySurvey-Howard County Recycling 2009.pdf

Shelly Lam/R5/USEPA/US To Gordon Clarke

08/08/2012 10:39 AM

cc bcc

Subject Fw: Kokomo Dump.docx

## 3 lines Ex. 5 deliberative

Shelly Lam, LPG Federal On-Scene Coordinator United States Environmental Protection Agency 2525 N. Shadeland Avenue, Indianapolis, IN 46219 317.417.0980 Lam.Shelly@epa.gov www.epa.gov

---- Forwarded by Shelly Lam/R5/USEPA/US on 08/08/2012 11:38 AM -----

From: "JAWORSKI, MARK" <MJAWORSK@idem.IN.gov>

To: Charles Gebien/R5/USEPA/US@EPA, Shelly Lam/R5/USEPA/US@EPA,

Date: 08/08/2012 10:02 AM Subject: Kokomo Dump.docx

Please see attached site referral for the Kokomo Dump. Shelly did an assessment on this site.

W

Kokomo Dump.docx

Shelly Lam/R5/USEPA/US

08/09/2012 10:18 AM

To Charles Gebien cc Mark Durno

bcc

Subject Re: Kokomo Dump.docx

#### 2 lines Ex. 5 deliberative

Shelly Lam, LPG
Federal On-Scene Coordinator
United States Environmental Protection Agency
2525 N. Shadeland Avenue, Indianapolis, IN 46219
317.417.0980
Lam.Shelly@epa.gov
www.epa.gov

## -----Charles Gebien/R5/USEPA/US wrote: -----

To: Mark Durno/R5/USEPA/US@EPA, Shelly Lam/R5/USEPA/US@EPA

From: Charles Gebien/R5/USEPA/US

Date: 08/09/2012 11:13AM Subject: Re: Kokomo Dump.docx

## 3 lines Ex. 5 deliberative

"JAWORSKI, MARK" ---08/08/2012 09:02:20 AM---Please see attached site referral for the Kokomo Dump. Shelly did an assessment on this site.

From: "JAWORSKI, MARK" < MJAWORSK@idem.IN.gov>

To: Charles Gebien/R5/USEPA/US@EPA, Shelly Lam/R5/USEPA/US@EPA,

Date: 08/08/2012 09:02 AM Subject: Kokomo Dump.docx

Please see attached site referral for the Kokomo Dump. Shelly did an assessment on this site. (See attached file: Kokomo Dump.docx)

[attachment "Kokomo Dump.docx" removed by Shelly Lam/R5/USEPA/US]

## Gordon Clarke /R5/USEPA/US

08/15/2012 09:37 AM

To Shelly Lam, Todd Quesada, Maria Gonzalez, Mark Durno

СС

bcc

Subject Kokomo Dump Action Memorandum

## 1 lines Ex. 5 deliberative, atty-client





Kokomo AM.pdf Kokomo AM Redacted.pdf

G. Weade Clarke ASRC PRIMUS 77 W. Jackson Blvd., #SRC-7J Chicago, IL 60604

Phone: (312) 353-7626 Fax: (312) 408-2217

Email: clarke.gordon@epamail.epa.gov

Maria To FRED BARTMAN Gonzalez/R5/USEPA/US

08/22/2012 06:00 PM cc Jansen.Sally, Shelly Lam

bcc

Subject Fw: Kokomo Dump Site civil investigator

3 lines Ex. 5 deliberative, atty-client, atty WP

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

----- Forwarded by Maria Gonzalez/R5/USEPA/US on 08/22/2012 05:59 PM -----

From: Lawrence McCormack < Imccormack@cityofkokomo.org >

To: Maria Gonzalez/R5/USEPA/US@EPA,

Cc: Shelly Lam/R5/USEPA/US@EPA, FRED BARTMAN/R5/USEPA/US@EPA

Date: 08/22/2012 01:38 PM

Subject: RE: Kokomo Dump Site civil investigator

#### Maria:

Thank you for your email. Do you have a list of City employees that you are planning to interview?

Thanks,

-Lawrence

# Lawrence McCormack Corporation Counsel

City of Kokomo 100 S. Union St. Kokomo, IN 46901 (765) 456-7440

lmccormack@cityofkokomo.org

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**From:** Maria Gonzalez [mailto:Gonzalez.Maria@epamail.epa.gov]

Sent: Thursday, August 16, 2012 6:50 PM

**To:** Lawrence McCormack

Cc: Shelly Lam; FRED BARTMAN

**Subject:** RE: Kokomo Dump Site civil investigator

Our civil investigator, Fred Bartman plans to travel to Kokomo at the end of August to conduct interviews, to try to gather information on the source of the drums at the Site. As people who might have information would include city employees, I wanted to make sure you had no objections to him interviewing city employees. I do not plan to attend.

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

FRED BARTMAN/R5/USEPA/US

08/27/2012 11:32 AM

To Maria Gonzalez

СС

bcc

Subject Re: Fw: Kokomo Dump Site civil investigator

#### 2 lines Ex. 5 deliberative, atty-client, WP

-----Maria Gonzalez/R5/USEPA/US wrote: ----To: FRED BARTMAN/R5/USEPA/US@EPA

From: Maria Gonzalez/R5/USEPA/US

Date: 08/23/2012 01:13PM

Subject: Re: Fw: Kokomo Dump Site civil investigator

# 3 lines Ex. 5 deliberative, atty-client, WP

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

FRED BARTMAN---08/23/2012 12:52:23 PM---Maria, I am actually on leave this week. Lillie Young is researching all the names. I am assuming th

From: FRED BARTMAN/R5/USEPA/US To: Maria Gonzalez/R5/USEPA/US@EPA,

Date: 08/23/2012 12:52 PM

Subject: Re: Fw: Kokomo Dump Site civil investigator

## 2 lines Ex. 5 deliberative, atty-client, WP

## -----Maria Gonzalez/R5/USEPA/US wrote: -----

To: FRED BARTMAN/R5/USEPA/US@EPA From: Maria Gonzalez/R5/USEPA/US

Date: 08/22/2012 06:00PM

Cc: Jansen.Sally@EPA.GOV, Shelly Lam/R5/USEPA/US@EPA

Subject: Fw: Kokomo Dump Site civil investigator

3 lines Ex. 5 deliberative, atty-client, atty WP

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

----- Forwarded by Maria Gonzalez/R5/USEPA/US on 08/22/2012 05:59 PM -----

From: Lawrence McCormack < Imccormack@cityofkokomo.org>

To: Maria Gonzalez/R5/USEPA/US@EPA,

Cc: Shelly Lam/R5/USEPA/US@EPA, FRED BARTMAN/R5/USEPA/US@EPA

Date: 08/22/2012 01:38 PM

Subject: RE: Kokomo Dump Site civil investigator

#### Maria:

Thank you for your email. Do you have a list of City employees that you are planning to interview?

Thanks,

-Lawrence

# Lawrence McCormack

**Corporation Counsel** 

City of Kokomo 100 S. Union St. Kokomo, IN 46901 (765) 456-7440

lmccormack@cityofkokomo.org

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Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

FRED BARTMAN/R5/USEPA/US

08/27/2012 05:11 PM

To Maria Gonzalez

СС

bcc

Subject Re: Fw: Kokomo Dump Site civil investigator

# 4 lines Ex. 5 deliberative, atty-client, atty WP

#### -----Maria Gonzalez/R5/USEPA/US wrote: -----

To: FRED BARTMAN/R5/USEPA/US@EPA From: Maria Gonzalez/R5/USEPA/US

Date: 08/27/2012 04:41PM

Subject: Re: Fw: Kokomo Dump Site civil investigator

# 5 lines Ex. 5 deliberative, atty-client, atty WP

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

#### ----FRED BARTMAN/R5/USEPA/US wrote: -----

To: Maria Gonzalez/R5/USEPA/US@EPA From: FRED BARTMAN/R5/USEPA/US

Date: 08/27/2012 11:32AM

Subject: Re: Fw: Kokomo Dump Site civil investigator

### 2 lines Ex. 5 deliberative, atty-client, WP

#### -----Maria Gonzalez/R5/USEPA/US wrote: -----

To: FRED BARTMAN/R5/USEPA/US@EPA

From: Maria Gonzalez/R5/USEPA/US

Date: 08/23/2012 01:13PM

Subject: Re: Fw: Kokomo Dump Site civil investigator

3 lines Ex. 5 deliberative, atty-client, WP

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

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Date: 08/23/2012 12:52 PM

Subject: Re: Fw: Kokomo Dump Site civil investigator

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To: FRED BARTMAN/R5/USEPA/US@EPA From: Maria Gonzalez/R5/USEPA/US

Date: 08/22/2012 06:00PM

Cc: Jansen.Sally@EPA.GOV, Shelly Lam/R5/USEPA/US@EPA

Subject: Fw: Kokomo Dump Site civil investigator

3 lines Ex. 5 deliberative, atty-client, atty WP

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

----- Forwarded by Maria Gonzalez/R5/USEPA/US on 08/22/2012 05:59 PM -----

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To: Maria Gonzalez/R5/USEPA/US@EPA,

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FRED BARTMAN/R5/USEPA/US

08/30/2012 04:03 PM

To Maria Gonzalez

СС

bcc

Subject Re: Fw: Kokomo Dump Site civil investigator

Maria,

# 3 lines Ex. 5 deliberative, atty-client, WP

Maria Gonzalez Thanks Fred. Yes. I would update him.... 08/28/2012 10:37:01 AM

From: Maria Gonzalez/R5/USEPA/US

To: FRED BARTMAN/R5/USEPA/US@EPA,

Date: 08/28/2012 10:37 AM

Subject: Re: Fw: Kokomo Dump Site civil investigator

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# 2 lines Ex. 5 deliberative, atty-client, WP

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Subject: Re: Fw: Kokomo Dump Site civil investigator

4 lines Ex. 5 deliberative, atty-client, atty WP

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From: Maria Gonzalez/R5/USEPA/US

Date: 08/27/2012 04:41PM

Subject: Re: Fw: Kokomo Dump Site civil investigator

4 lines Ex. 5 deliberative, atty-client, atty WP

#### 1 line Ex. 5 deliberative, atty-client, WP

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

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Date: 08/27/2012 11:32AM

Subject: Re: Fw: Kokomo Dump Site civil investigator

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# 3 lines Ex. 5 deliberative, atty-client, WP

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Subject: Re: Fw: Kokomo Dump Site civil investigator

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-----Maria Gonzalez/R5/USEPA/US wrote: -----

To: FRED BARTMAN/R5/USEPA/US@EPA From: Maria Gonzalez/R5/USEPA/US

Date: 08/22/2012 06:00PM

Cc: Jansen.Sally@EPA.GOV, Shelly Lam/R5/USEPA/US@EPA

# 3 lines Ex. 5 deliberative, atty-client, atty WP

Maria Gonzalez
Associate Regional Counsel
Mail Code C-14J
U.S. EPA Region 5
77 West Jackson Blvd.
Chicago, Illinois 60604
(312) 886-6630

----- Forwarded by Maria Gonzalez/R5/USEPA/US on 08/22/2012 05:59 PM -----

From: Lawrence McCormack < Imccormack@cityofkokomo.org>

To: Maria Gonzalez/R5/USEPA/US@EPA,

Cc: Shelly Lam/R5/USEPA/US@EPA, FRED BARTMAN/R5/USEPA/US@EPA

Date: 08/22/2012 01:38 PM

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# Lawrence McCormack

**Corporation Counsel** 

City of Kokomo 100 S. Union St. Kokomo, IN 46901 (765) 456-7440

lmccormack@cityofkokomo.org

Confidentiality Notice:

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From: Maria Gonzalez [mailto:Gonzalez.Maria@epamail.epa.gov]

Sent: Thursday, August 16, 2012 6:50 PM

**To:** Lawrence McCormack **Cc:** Shelly Lam; FRED BARTMAN

Subject: RE: Kokomo Dump Site civil investigator

Our civil investigator, Fred Bartman plans to travel to Kokomo at the end of August to conduct interviews, to try to gather information on the source of the drums at the Site. As people who might have information would include city employees, I wanted to make sure you had no objections to him interviewing city employees. I do not plan to attend.

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

Maria Gonzalez/R5/USEPA/US

09/06/2012 10:42 AM

To FRED BARTMAN

cc Jansen.Sally, Shelly Lam

bcc

Subject Fw: potential interviews EPA regarding Kokomo Dump

## 1 line Ex. 5 deliberative, atty-client, WP

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

----- Forwarded by Maria Gonzalez/R5/USEPA/US on 09/06/2012 10:40 AM -----

From: Lawrence McCormack < Imccormack@cityofkokomo.org >

To: FRED BARTMAN/R5/USEPA/US@EPA, Maria Gonzalez/R5/USEPA/US@EPA,

Date: 09/06/2012 10:20 AM

Subject: RE: potential interviews EPA regarding Kokomo Dump

#### Fred:

Thank you for contacting me regarding your investigation. I checked with our Human Resources department and they informed me that none of the individuals on your list are current city employees.

Do you plan to expand your list of interviewees to any current city employees?

Thank you, -Lawrence

# Lawrence McCormack Corporation Counsel

City of Kokomo 100 S. Union St. Kokomo, IN 46901 (765) 456-7440

lmccormack@cityofkokomo.org

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**From:** FRED BARTMAN [mailto:Bartman.Fred@epamail.epa.gov]

**Sent:** Wednesday, September 05, 2012 5:16 PM **To:** Lawrence McCormack; Maria Gonzalez

Subject: potential interviews EPA regarding Kokomo Dump

# Mr. McCormack,

Maria Gonzalez requested that I forward a list of City employees for possible interviews. Attached is a raw list of employees from 1968. This list will be narrowed down quite a bit since many will most likely no longer with us. I plan on initiating interviews to whom ever is alive and may have knowledge of the City dump.

Thank you

### Shelly Lam/R5/USEPA/US

09/10/2012 01:41 PM

To FRED BARTMAN

cc Gonzalez.Maria, SALLY JANSEN

bcc

Subject Re: Trip report Kokomo

## 3 lines Ex. 5 deliberative, atty-client, atty WP

Shelly Lam, LPG Federal On-Scene Coordinator United States Environmental Protection Agency 2525 N. Shadeland Avenue, Indianapolis, IN 46219 317.417.0980 Lam.Shelly@epa.gov www.epa.gov





IMG00028-20110406-1152.jpg IMG00030-20110406-1153.jpg

FRED BARTMAN See attached

09/10/2012 02:20:43 PM

From: FRED BARTMAN/R5/USEPA/US

To: Maria Gonzalez/R5/USEPA/US@EPA, SALLY JANSEN/R5/USEPA/US@EPA, Shelly

Lam/R5/USEPA/US@EPA,

Cc: Carolyn Bohlen/R5/USEPA/US@EPA, THOMAS MARKS/R5/USEPA/US@EPA

Date: 09/10/2012 02:20 PM Subject: Trip report Kokomo

1 line Ex. 5 deliberative, atty-client.

Maria Gonzalez/R5/USEPA/US

10/19/2012 09:42 AM

To Jansen.Sally

СС

bcc

Subject Re: KOKOMO DUMP SITE: CHANGES IN FORMAT OF IR ENCLOSURES; DEMAND LETTER ENCLOSURES

**NEEDED** 

# 2 lines Ex. 5 deliberative, atty-client, WP





Kokomo AM Redacted.pdf

Kokomo Dump AOC092712.doc

1 line Ex. 5 deliberative, atty-client, WP

4 lines Ex. 5 deliberative, atty-client, WP

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

2 lines Ex. 4

11/26/2012 02:54 PM

To Shelly Lam

СС

bcc

Subject FW: Kokomo Dump

4 lines Ex. 5 deliberative

From: 1 line Ex. 4

Sent: Monday, November 26, 2012 12:43 PM

**To:** 1 line Ex. 4

Subject: RE: Kokomo Dump

3 lines Ex. 5 deliberative

3 lines Ex. 4

# **Ark Engineering Services Inc.**

7750 Madison Avenue Indianapolis, IN 46227

T: 317.787.3700 F: 317.787.4700

www.ark-esi.com



From: 1 line Ex. 4

Sent: Tuesday, November 20, 2012 3:06 PM

To: 1 line Ex. 4

Subject: RE: Kokomo Dump

1 line Ex. 5

2 lines Ex. 4

# **Ark Engineering Services Inc.**

7750 Madison Avenue Indianapolis, IN 46227

T: 317.787.3700 F: 317.787.4700

www.ark-esi.com



From: 1 line Ex. 4

Sent: Tuesday, November 20, 2012 10:05 AM

To: 1 line Ex. 4
Subject: Kokomo Dump

1 line Ex. 4

# 3 lines Ex. 5 deliberative

### 2 lines Ex. 4

# **Oneida Total Integrated Enterprises (OTIE)**

100 W. Monroe

Suite 300

Chicago, IL 60603

O: 312.220.700(1 line...

C: 1 line Ex. 6

F: 312.220.7004

1 line Ex. 4

www.otie.com



Dixon Road SA Figure 1.pdf

Maria Gonzalez/R5/USEPA/US 12/17/2012 01:42 PM To Shelly Lam, Jansen. Sally

СС

bcc

Subject 12/12/12 letter from Kokomo

# 3 lines Ex. 5 deliberative atty-client, WP



kokomoreply121212.pdf

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

Maria Gonzalez/R5/USEPA/US 12/17/2012 01:42 PM To Shelly Lam, Jansen. Sally

СС

bcc

Subject 12/12/12 letter from Kokomo

# 3 lines Ex. 5 deliberative atty-client, WP



kokomoreply121212.pdf

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

Maria Gonzalez/R5/USEPA/US 12/27/2012 12:35 PM To Shelly Lam, SALLY JANSEN
CC Donald Ayres, Michelle Radcliffe

bcc

Subject Fw: Kokomo Dump Site

8 lines Ex. 5 deliberative, atty-client, atty WP

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

-----Forwarded by Maria Gonzalez/R5/USEPA/US on 12/27/2012 12:28PM -----

To: Maria Gonzalez/R5/USEPA/US@EPA From: "Gray, Lisa" <LGray@taftlaw.com>

Date: 12/27/2012 11:26AM

Cc: "Guevara, David" < DGuevara@taftlaw.com>, < Imccormack@cityofkokomo.org>

Subject: Kokomo Dump Site

(See attached file: 2012-12-27 - Guevara to Gonzalez re EPA settlement agreement.PDF)

Ms. Gonzalez,

Please see the attached correspondence from David Guevara.

Thank you, Lisa Gray

# Taft /

Lisa Gray / Legal Assistant Taft Stettinius & Hollister LLP One Indiana Square, Suite 3500 Indianapolis, Indiana 46204

Tel: 317.713.3500 • Fax: 317.713.3699

Direct: 317.713.3442

www.taftlaw.com / LGray@taftlaw.com

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2012-12-27 - Guevara to Gonzalez re\_ EPA settlement agreement.PDF

SALLY JANSEN/R5/USEPA/US

12/27/2012 03:02 PM

To Maria Gonzalez

cc Donald Ayres, Michelle Radcliffe, Shelly Lam

bcc

Subject Re: Fw: Kokomo Dump Site

## 2 lines Ex. 5 deliberative atty-client

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

Sally Jansen, Enforcement Specialist U.S. EPA Region 5 77 W. Jackson Blvd. SE-5J Chicago, IL 60604

Phone: (312) 353-9046 Fax: (312) 582-5166

E-mail: jansen.sally@epa.gov

### -----Maria Gonzalez/R5/USEPA/US wrote: -----

To: Shelly Lam/R5/USEPA/US@EPA, SALLY JANSEN/R5/USEPA/US@EPA

From: Maria Gonzalez/R5/USEPA/US

Date: 12/27/2012 12:35PM

Cc: Donald Ayres/R5/USEPA/US@EPA, Michelle Radcliffe/R5/USEPA/US@EPA

Subject: Fw: Kokomo Dump Site

8 lines Ex. 5 deliberative atty-client, WP

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

-----Forwarded by Maria Gonzalez/R5/USEPA/US on 12/27/2012 12:28PM -----

To: Maria Gonzalez/R5/USEPA/US@EPA From: "Gray, Lisa" <LGray@taftlaw.com>

Date: 12/27/2012 11:26AM

Cc: "Guevara, David" < DGuevara@taftlaw.com>, < Imccormack@cityofkokomo.org>

Subject: Kokomo Dump Site

(See attached file: 2012-12-27 - Guevara to Gonzalez re\_ EPA settlement agreement.PDF)

Ms. Gonzalez,

Please see the attached correspondence from David Guevara.

Thank you, Lisa Gray

# Taft /

Lisa Gray / Legal Assistant
Taft Stettinius & Hollister LLP
One Indiana Square, Suite 3500
Indianapolis, Indiana 46204

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[attachment "2012-12-27 - Guevara to Gonzalez re\_ EPA settlement agreement.PDF" removed by SALLY JANSEN/R5/USEPA/US]

Maria Gonzalez/R5/USEPA/US 01/04/2013 12:20 PM To Shelly Lam, SALLY JANSEN

СС

bcc

Subject Fw: RE: Kokomo Dump Site

#### 2 lines Ex. 5 deliberative

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

-----Forwarded by Maria Gonzalez/R5/USEPA/US on 01/04/2013 12:18PM -----

To: Maria Gonzalez/R5/USEPA/US@EPA

From: "Guevara, David" < DGuevara@taftlaw.com>

Date: 01/04/2013 08:00AM Subject: RE: Kokomo Dump Site

#### Dear Maria,

The City's environmental consultant is in the process of developing a work plan and other related documents as required by the draft Administrative Settlement Agreement and Order on Consent for Removal Action. As you may recall, we are working with the City's insurer and the insurer has requested a budget. Accordingly, the consultant is developing these documents now to determine a budget for the insurer. The consultant is at a point where it needs some guidance on what it views are different possible ways of proceeding with the development of the work plan. I suggested to the consultant that a phone call with you and the EPA project manager may be warranted at this point to ensure that we are all on the same page.

As such, is there a good time for you and the EPA project manager to participate in a telephone call with me and the City's consultant? Early next week works well for us.

Please advise.

Thank you.

# Taft /

David L. Guevara, Ph.D. / Attorney

Taft Stettinius & Hollister LLP
One Indiana Square, Suite 3500
Indianapolis, Indiana 46204-2023
Tel: 317.713.3500 • Fax: 317.713.3699

Direct: 317.713.3453

www.taftlaw.com / DGuevara@taftlaw.com

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From: Gray, Lisa

Sent: Thursday, December 27, 2012 12:26 PM

To: 'gonzalez.maria@epa.gov'

Cc: Guevara, David; 'Imccormack@cityofkokomo.org'

**Subject:** Kokomo Dump Site

Ms. Gonzalez,

Please see the attached correspondence from David Guevara.

Thank you, Lisa Gray

Shelly Lam/R5/USEPA/US

To Maria Gonzalez, SALLY JANSEN

01/04/2013 12:26 PM

cc bcc

Subject Re: RE: Kokomo Dump Site

# 1 line Ex. 5 deliberative

Shelly Lam, LPG Federal On-Scene Coordinator

Office: 317.308.3073 | Cell: 317.417.0980

Lam.Shelly@epa.gov

U.S. Environmental Protection Agency 2525 N. Shadeland Avenue, Suite 100 Indianapolis, IN 46219

From: Maria Gonzalez

Sent: 01/04/2013 12:20 PM CST To: Shelly Lam; Sally Jansen

Subject: Fw: RE: Kokomo Dump Site

#### 2 lines Ex. 5 deliberative

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

-----Forwarded by Maria Gonzalez/R5/USEPA/US on 01/04/2013 12:18PM -----

To: Maria Gonzalez/R5/USEPA/US@EPA

From: "Guevara, David" < DGuevara@taftlaw.com>

Date: 01/04/2013 08:00AM Subject: RE: Kokomo Dump Site

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Please advise.

Thank you.

# Taft /

**David L. Guevara, Ph.D.** / Attorney Taft Stettinius & Hollister LLP

One Indiana Square, Suite 3500 Indianapolis, Indiana 46204-2023 Tel: 317.713.3500 • Fax: 317.713.3699

Direct: 317.713.3453

www.taftlaw.com / DGuevara@taftlaw.com

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Sent: Thursday, December 27, 2012 12:26 PM

**To:** 'gonzalez.maria@epa.gov'

Cc: Guevara, David; 'Imccormack@cityofkokomo.org'

**Subject:** Kokomo Dump Site

Ms. Gonzalez,

Please see the attached correspondence from David Guevara.

Thank you, Lisa Gray

SALLY JANSEN/R5/USEPA/US

01/04/2013 05:06 PM

To Shelly Lam
cc Maria Gonzalez

bcc

Subject Re: Re: RE: Kokomo Dump Site

# 1 line Ex. 5 deliberative

#### -----Shelly Lam/R5/USEPA/US wrote: -----

To: Maria Gonzalez/R5/USEPA/US@EPA, SALLY JANSEN/R5/USEPA/US@EPA

From: Shelly Lam/R5/USEPA/US Date: 01/04/2013 12:26PM

Subject: Re: RE: Kokomo Dump Site

# 1 line Ex. 5 deliberative

Shelly Lam, LPG

Federal On-Scene Coordinator

Office: 317.308.3073 | Cell: 317.417.0980

Lam.Shelly@epa.gov

U.S. Environmental Protection Agency 2525 N. Shadeland Avenue, Suite 100 Indianapolis, IN 46219

From: Maria Gonzalez

Sent: 01/04/2013 12:20 PM CST To: Shelly Lam; Sally Jansen Subject: Fw: RE: Kokomo Dump Site

# 2 lines Ex. 5 deliberative

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

# -----Forwarded by Maria Gonzalez/R5/USEPA/US on 01/04/2013 12:18PM -----

To: Maria Gonzalez/R5/USEPA/US@EPA

From: "Guevara, David" < DGuevara@taftlaw.com>

Date: 01/04/2013 08:00AM Subject: RE: Kokomo Dump Site

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Please advise.

Thank you.

# Taft /

David L. Guevara, Ph.D. / Attorney
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Indianapolis, Indiana 46204-2023

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From: Gray, Lisa

Sent: Thursday, December 27, 2012 12:26 PM

To: 'gonzalez.maria@epa.gov'

Cc: Guevara, David; 'Imccormack@cityofkokomo.org'

Subject: Kokomo Dump Site

Ms. Gonzalez,

Please see the attached correspondence from David Guevara.

Thank you, Lisa Gray

SALLY JANSEN/R5/USEPA/US

01/04/2013 05:08 PM

To Shelly Lam cc Maria Gonzalez

bcc

Subject Re: Re: RE: Kokomo Dump Site

### 1 line Ex. 5 deliberative

### ----Shelly Lam/R5/USEPA/US wrote: ----

To: Maria Gonzalez/R5/USEPA/US@EPA, SALLY JANSEN/R5/USEPA/US@EPA

From: Shelly Lam/R5/USEPA/US Date: 01/04/2013 12:26PM

Subject: Re: RE: Kokomo Dump Site

# 1 line Ex. 5 deliberative

Shelly Lam, LPG Federal On-Scene Coordinator

Office: 317.308.3073 | Cell: 317.417.0980

Lam.Shelly@epa.gov

U.S. Environmental Protection Agency 2525 N. Shadeland Avenue, Suite 100 Indianapolis, IN 46219

From: Maria Gonzalez

Sent: 01/04/2013 12:20 PM CST To: Shelly Lam; Sally Jansen

Subject: Fw: RE: Kokomo Dump Site

# 2 lines Ex. 5 deliberative

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

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Please advise.

Thank you.

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David L. Guevara, Ph.D. / Attorney
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Indianapolis, Indiana 46204-2023
Tel: 317.713.3500 • Fax: 317.713.3699

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Cc: Guevara, David; 'Imccormack@cityofkokomo.org'

Subject: Kokomo Dump Site

Ms. Gonzalez,

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Thank you, Lisa Gray

Maria Gonzalez/R5/USEPA/US

01/05/2013 05:19 PM

To Shelly Lam

CC SALLY JANSEN

bcc

Subject Re: Re: RE: Kokomo Dump Site

# 5 lines Ex. 5 deliberative

Maria Gonzalez
Associate Regional Counsel
Mail Code C-14J
U.S. EPA Region 5
77 West Jackson Blvd.
Chicago, Illinois 60604
(312) 886-6630

# -----Shelly Lam/R5/USEPA/US wrote: -----

To: Maria Gonzalez/R5/USEPA/US@EPA, SALLY JANSEN/R5/USEPA/US@EPA

From: Shelly Lam/R5/USEPA/US Date: 01/04/2013 12:26PM

Subject: Re: RE: Kokomo Dump Site

1 line Ex. 5 deliberative

Shelly Lam, LPG

Federal On-Scene Coordinator

Office: 317.308.3073 | Cell: 317.417.0980

Lam.Shelly@epa.gov

U.S. Environmental Protection Agency 2525 N. Shadeland Avenue, Suite 100

Indianapolis, IN 46219

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Sent: 01/04/2013 12:20 PM CST To: Shelly Lam; Sally Jansen

Subject: Fw: RE: Kokomo Dump Site

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From: Gray, Lisa

Sent: Thursday, December 27, 2012 12:26 PM

**To:** 'gonzalez.maria@epa.gov' **Cc:** Guevara, David; 'lmccormack@cityofkokomo.org' **Subject:** Kokomo Dump Site

Ms. Gonzalez,

Please see the attached correspondence from David Guevara.

Thank you, Lisa Gray

Maria Gonzalez/R5/USEPA/US

01/07/2013 12:11 PM

To "Guevara, David"

cc SALLY JANSEN, Shelly Lam

bcc

Subject RE: Kokomo Dump Site

That will be fine. I have put this on our calendar.

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

----- "Guevara, David" < DGuevara@taftlaw.com > wrote: -----

To: Maria Gonzalez/R5/USEPA/US@EPA

From: "Guevara, David" < DGuevara@taftlaw.com>

Date: 01/07/2013 10:55AM

Cc: Shelly Lam/R5/USEPA/US@EPA, SALLY JANSEN/R5/USEPA/US@EPA

Subject: RE: Kokomo Dump Site

#### Maria,

Tuesday afternoon works best for us. Shall we say 2:00 pm EST?

If this time works for you, we can use Taft's conference line, which is as follows: dial-in 800-330-5498; participant pass code 3177133453.

Please advise.

Thank you.

# Taft /

David L. Guevara, Ph.D. / Attorney

Taft Stettinius & Hollister LLP
One Indiana Square, Suite 3500
Indianapolis, Indiana 46204-2023
Tel: 317.713.3500 • Fax: 317.713.3699

Direct: 317.713.3453

www.taftlaw.com / DGuevara@taftlaw.com

From: Gonzalez.Maria@epamail.epa.gov [mailto:Gonzalez.Maria@epamail.epa.gov]

Sent: Saturday, January 05, 2013 6:16 PM

To: Guevara, David

Cc: Lam.Shelly@epamail.epa.gov; Jansen.Sally@epamail.epa.gov

#### Subject: RE: Kokomo Dump Site

We are available Tuesday afternoon or Thursday morning next week. What times work best for you?

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

----- "Guevara, David" < DGuevara@taftlaw.com > wrote: -----

To: Maria Gonzalez/R5/USEPA/US@EPA

From: "Guevara, David" < DGuevara@taftlaw.com>

Date: 01/04/2013 08:00AM Subject: RE: Kokomo Dump Site

#### Dear Maria,

The City's environmental consultant is in the process of developing a work plan and other related documents as required by the draft Administrative Settlement Agreement and Order on Consent for Removal Action. As you may recall, we are working with the City's insurer and the insurer has requested a budget. Accordingly, the consultant is developing these documents now to determine a budget for the insurer. The consultant is at a point where it needs some guidance on what it views are different possible ways of proceeding with the development of the work plan. I suggested to the consultant that a phone call with you and the EPA project manager may be warranted at this point to ensure that we are all on the same page.

As such, is there a good time for you and the EPA project manager to participate in a telephone call with me and the City's consultant? Early next week works well for us.

Please advise.

Thank you.

# Taft /

David L. Guevara, Ph.D. / Attorney

Taft Stettinius & Hollister LLP One Indiana Square, Suite 3500 Indianapolis, Indiana 46204-2023 Tel: 317.713.3500 • Fax: 317.713.3699

Direct: 317.713.3453

www.taftlaw.com / DGuevara@taftlaw.com

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otherwise confidential. If you are not an intended recipient, use and disclosure of this message are prohibited. If you received this transmission in error, please notify the sender by reply e-mail and delete the message and any attachments.

From: Gray, Lisa

**Sent:** Thursday, December 27, 2012 12:26 PM

**To:** 'gonzalez.maria@epa.gov'

Cc: Guevara, David; 'Imccormack@cityofkokomo.org'

**Subject:** Kokomo Dump Site

Ms. Gonzalez,

Please see the attached correspondence from David Guevara.

Thank you, Lisa Gray

SALLY JANSEN/R5/USEPA/US

01/07/2013 06:57 PM

To MARGARET HERRING

cc Maria Gonzalez, Shelly Lam

bcc

Subject Fw: Kokomo Dump Site



---- Forwarded by SALLY JANSEN/R5/USEPA/US on 01/07/2013 06:47 PM -----

From: Maria Gonzalez/R5/USEPA/US

To: "Guevara, David" < DGuevara@taftlaw.com>,

Cc: SALLY JANSEN/R5/USEPA/US@EPA, Shelly Lam/R5/USEPA/US@EPA

Date: 01/07/2013 12:11 PM Subject: RE: Kokomo Dump Site

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Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

-----"Guevara, David" < DGuevara@taftlaw.com > wrote: -----

To: Maria Gonzalez/R5/USEPA/US@EPA

From: "Guevara, David" < DGuevara@taftlaw.com>

Date: 01/07/2013 10:55AM

Cc: Shelly Lam/R5/USEPA/US@EPA, SALLY JANSEN/R5/USEPA/US@EPA

Subject: RE: Kokomo Dump Site

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Please advise.

Thank you.

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Direct: 317.713.3453

www.taftlaw.com / DGuevara@taftlaw.com

From: Gonzalez.Maria@epamail.epa.gov [mailto:Gonzalez.Maria@epamail.epa.gov]

Sent: Saturday, January 05, 2013 6:16 PM

To: Guevara, David

Cc: Lam.Shelly@epamail.epa.gov; Jansen.Sally@epamail.epa.gov

Subject: RE: Kokomo Dump Site

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Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

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## Taft /

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www.taftlaw.com / DGuevara@taftlaw.com

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From: Gray, Lisa

Sent: Thursday, December 27, 2012 12:26 PM

To: 'gonzalez.maria@epa.gov'

Cc: Guevara, David; 'Imccormack@cityofkokomo.org'

Subject: Kokomo Dump Site

Ms. Gonzalez,

Please see the attached correspondence from David Guevara.

Thank you, Lisa Gray

MARGARET HERRING/R5/USEPA/US

01/07/2013 07:50 PM

To SALLY JANSEN

cc Maria Gonzalez, Shelly Lam

bcc

Subject Re: Fw: Kokomo Dump Site

### 1 line Ex. 5 deliberative

Margaret Herring 312 886-6239

SALLY JANSEN Hello, Margaret - Since Fred Bartman... 01/07/2013 06:57:27 PM

From: SALLY JANSEN/R5/USEPA/US

To: MARGARET HERRING/R5/USEPA/US@EPA,

Cc: Maria Gonzalez/R5/USEPA/US@EPA, Shelly Lam/R5/USEPA/US@EPA

Date: 01/07/2013 06:57 PM Subject: Fw: Kokomo Dump Site

9 lines Ex. 5 deliberative, atty-client

----- Forwarded by SALLY JANSEN/R5/USEPA/US on 01/07/2013 06:47 PM -----

From: Maria Gonzalez/R5/USEPA/US

To: "Guevara, David" < DGuevara@taftlaw.com>,

Cc: SALLY JANSEN/R5/USEPA/US@EPA, Shelly Lam/R5/USEPA/US@EPA

Date: 01/07/2013 12:11 PM Subject: RE: Kokomo Dump Site

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Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

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To: Maria Gonzalez/R5/USEPA/US@EPA

From: "Guevara, David" < DGuevara@taftlaw.com>

Date: 01/07/2013 10:55AM

Cc: Shelly Lam/R5/USEPA/US@EPA, SALLY JANSEN/R5/USEPA/US@EPA

Subject: RE: Kokomo Dump Site

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Direct: 317.713.3453

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Sent: Saturday, January 05, 2013 6:16 PM

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Cc: Lam.Shelly@epamail.epa.gov; Jansen.Sally@epamail.epa.gov

Subject: RE: Kokomo Dump Site

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Date: 01/04/2013 08:00AM Subject: RE: Kokomo Dump Site

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Please advise.

Thank you.

## Taft /

David L. Guevara, Ph.D. / Attorney

Taft Stettinius & Hollister LLP
One Indiana Square, Suite 3500
Indianapolis, Indiana 46204-2023
Tal: 347,743,3500 - Fay: 347,743,360

Tel: 317.713.3500 • Fax: 317.713.3699

Direct: 317.713.3453

www.taftlaw.com / DGuevara@taftlaw.com

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From: Gray, Lisa

Sent: Thursday, December 27, 2012 12:26 PM

To: 'gonzalez.maria@epa.gov'

Cc: Guevara, David; 'Imccormack@cityofkokomo.org'

Subject: Kokomo Dump Site

Ms. Gonzalez,

Please see the attached correspondence from David Guevara.

Thank you, Lisa Gray

Maria To s

Gonzalez/R5/USEPA/US

01/08/2013 10:19 AM

To Shelly Lam, Jansen. Sally, MARGARET HERRING

СС

bcc

Subject Fw: Kokomo Dump Site

6 lines Ex. 5 deliberative, atty-client

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

----- Forwarded by Maria Gonzalez/R5/USEPA/US on 01/08/2013 10:12 AM -----

From: "Gray, Lisa" <LGray@taftlaw.com>
To: Maria Gonzalez/R5/USEPA/US@EPA,

Cc: "Guevara, David" < DGuevara@taftlaw.com>, < Imccormack@cityofkokomo.org>

Date: 12/27/2012 11:26 AM Subject: Kokomo Dump Site

Ms. Gonzalez,

Please see the attached correspondence from David Guevara.

Thank you, Lisa Gray

# Taft /

Lisa Gray / Legal Assistant Taft Stettinius & Hollister LLP One Indiana Square, Suite 3500 Indianapolis, Indiana 46204

Tel: 317.713.3500 • Fax: 317.713.3699

Direct: 317.713.3442

www.taftlaw.com / LGray@taftlaw.com

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2012-12-27 - Guevara to Gonzalez re\_ EPA settlement agreement.PDF

Maria To Shelly Lam, Jansen. Sally, MARGARET HERRING Gonzalez/R5/USEPA/US

СС

01/08/2013 10:19 AM bcc

Subject Fw: Kokomo Dump Site

6 lines Ex. 5 deliberative atty-cllient

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

---- Forwarded by Maria Gonzalez/R5/USEPA/US on 01/08/2013 10:12 AM -----

"Gray, Lisa" < LGray@taftlaw.com> Maria Gonzalez/R5/USEPA/US@EPA, To:

"Guevara, David" < DGuevara@taftlaw.com>, < Imccormack@cityofkokomo.org> Cc:

12/27/2012 11:26 AM Date: Subject: Kokomo Dump Site

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Please see the attached correspondence from David Guevara.

Thank you, Lisa Gray

# Taft /

Lisa Gray / Legal Assistant Taft Stettinius & Hollister LLP One Indiana Square, Suite 3500 Indianapolis, Indiana 46204

Tel: 317.713.3500 • Fax: 317.713.3699

Direct: 317.713.3442

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2012-12-27 - Guevara to Gonzalez re\_ EPA settlement agreement.PDF

SALLY JANSEN/R5/USEPA/US 01/08/2013 10:51 AM To Maria Gonzalez

cc MARGARET HERRING, Shelly Lam, SALLY JANSEN

bcc

Subject Re: Fw: Kokomo Dump Site

### 3 lines Ex. 5 deliberative atty-cllient

-----Maria Gonzalez/R5/USEPA/US wrote: -----

To: Shelly Lam/R5/USEPA/US@EPA, Jansen.Sally@EPA.GOV, MARGARET

HERRING/R5/USEPA/US@EPA From: Maria Gonzalez/R5/USEPA/US

Date: 01/08/2013 10:19AM Subject: Fw: Kokomo Dump Site

### 6 lines Ex. 5 deliberative atty-cllient

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

----- Forwarded by Maria Gonzalez/R5/USEPA/US on 01/08/2013 10:12 AM -----

From: "Gray, Lisa" <LGray@taftlaw.com>
To: Maria Gonzalez/R5/USEPA/US@EPA,

Cc: "Guevara, David" < DGuevara@taftlaw.com>, < Imccormack@cityofkokomo.org>

Date: 12/27/2012 11:26 AM Subject: Kokomo Dump Site

Ms. Gonzalez,

Please see the attached correspondence from David Guevara.

Thank you, Lisa Gray

# Taft /

Lisa Gray / Legal Assistant Taft Stettinius & Hollister LLP One Indiana Square, Suite 3500 Indianapolis, Indiana 46204

Tel: 317.713.3500 • Fax: 317.713.3699

Direct: 317.713.3442

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(See attached file: 2012-12-27 - Guevara to Gonzalez re EPA settlement agreement.PDF)

[attachment "2012-12-27 - Guevara to Gonzalez re\_ EPA settlement agreement.PDF" removed by SALLY JANSEN/R5/USEPA/US]

Maria Gonzalez/R5/USEPA/US

01/08/2013 12:48 PM

To Shelly Lam

cc Jansen.Sally, MARGARET HERRING

bcc

Subject 11/30/12 correspondence

## 3 lines Ex. 5 deliberative





Kokomofollowup113012.pdf

Kokomo Dump AOC112712.doc

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

Maria Gonzalez/R5/USEPA/US

01/08/2013 12:48 PM

To Shelly Lam

cc Jansen.Sally, MARGARET HERRING

bcc

Subject 11/30/12 correspondence

### 3 lines Ex. 5 deliberative





Kokomofollowup113012.pdf

Kokomo Dump AOC112712.doc

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

## Shelly Lam/R5/USEPA/US

01/08/2013 01:47 PM

To Gonzalez.Maria

СС

bcc

Subject Kokomo AOC



Shelly Lam, LPG
Federal On-Scene Coordinator
United States Environmental Protection Agency
2525 N. Shadeland Avenue, Indianapolis, IN 46219
317.417.0980
Lam.Shelly@epa.gov
www.epa.gov



2012-12-27 - Guevara to Gonzalez re\_ EPA settlement agreement[1].pdf

Maria To "Guevara, David" Gonzalez/R5/USEPA/US

01/14/2013 12:29 PM

bcc

Subject RE: Kokomo Dump Site

We are available at the following times the rest of the week, in central time. The noon to 1 PM CT (1-2 ET) time slots on Tuesday, Wednesday or Thursday would give us a full hour for discussion, but let me know what times work best for your folks.

Tuesday - 12:00 to 1:00 CT Wednesday - 12:00 to 1:00 or 2:40 to 3:10 Thursday - 12:00 to 1:00, or 3:00 to 3:30 Friday - 10:00 to 10:30

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

"Guevara, David" Maria, I apologize for not returning y... 01/14/2013 10:31:18 AM

From: "Guevara, David" <DGuevara@taftlaw.com>
To: Maria Gonzalez/R5/USEPA/US@EPA,

Date: 01/14/2013 10:31 AM Subject: RE: Kokomo Dump Site

Maria,

I apologize for not returning your voice mail messages yet; and, I am tied up the rest of the day today. However, I am available for a call anytime that is convenient for you during the remainder of this week.

Please advise.

Thank you.

# Taft /

David L. Guevara, Ph.D. / Attorney

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Tel: 317.713.3500 • Fax: 317.713.3699

Direct: 317.713.3453

www.taftlaw.com / DGuevara@taftlaw.com

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From: Guevara, David

**Sent:** Thursday, January 10, 2013 3:02 PM **To:** 'Gonzalez.Maria@epamail.epa.gov'

**Cc:** Lawrence McCormack **Subject:** RE: Kokomo Dump Site

Thank you, Maria.

Would you like to schedule a call to discuss the attached letter? Or, will you be issuing a response without a call?

Please advise.

### Thank you.

From: Gonzalez.Maria@epamail.epa.gov [mailto:Gonzalez.Maria@epamail.epa.gov]

Sent: Thursday, January 10, 2013 2:35 PM

**To:** Guevara, David **Cc:** Lawrence McCormack

Subject: Re: Kokomo Dump Site

As discussed on the call on Monday, I am forwarding the other enclosures to our November 30, 2012 letter.

(See attached file: Kokomocostsummary09-30-2012.pdf)(See attached file: Kokomo AM Redacted.pdf)

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

01/15/2013 09:44 AM

Maria To Shelly Lam Gonzalez/R5/USEPA/US

cc Jansen.Sally, MARGARET HERRING

bcc

Subject Fw: Kokomo Dump Site

#### 2 lines Ex. 5 deliberative

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

----- Forwarded by Maria Gonzalez/R5/USEPA/US on 01/15/2013 09:42 AM -----

From: "Guevara, David" <DGuevara@taftlaw.com>
To: Maria Gonzalez/R5/USEPA/US@EPA,

Cc: Shelly Lam/R5/USEPA/US@EPA, SALLY JANSEN/R5/USEPA/US@EPA

Date: 01/15/2013 08:28 AM Subject: RE: Kokomo Dump Site

#### Maria,

Let's do the call on Friday at 10 CST (11 EST). I was planning on being the only person on the call on behalf of the City. Do you think it would be beneficial to have the City's environmental consultant on the call too? Also, do you want to call me at (317) 713-3453? Please advise.

### Thank you.

# Taft /

David L. Guevara, Ph.D. / Attorney

Taft Stettinius & Hollister LLP One Indiana Square, Suite 3500 Indianapolis, Indiana 46204-2023 Tel: 317.713.3500 • Fax: 317.713.3699

Direct: 317.713.3453

www.taftlaw.com / DGuevara@taftlaw.com

From: Gonzalez.Maria@epamail.epa.gov [mailto:Gonzalez.Maria@epamail.epa.gov]

**Sent:** Monday, January 14, 2013 1:30 PM

To: Guevara, David

Cc: Lam.Shelly@epamail.epa.gov; Jansen.Sally@EPA.GOV

Subject: RE: Kokomo Dump Site

We are available at the following times the rest of the week, in central time. The noon to 1 PM CT (1-2 ET) time slots on Tuesday, Wednesday or Thursday would give us a full hour for discussion, but let me know what times work best for your folks.

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Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

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**Sent:** Thursday, January 10, 2013 3:02 PM **To:** 'Gonzalez.Maria@epamail.epa.gov'

**Cc:** Lawrence McCormack

Subject: RE: Kokomo Dump Site

Thank you, Maria.

Would you like to schedule a call to discuss the attached letter? Or, will you be issuing a response without a call?

Please advise.

Thank you.

**From:** Gonzalez.Maria@epamail.epa.gov [mailto:Gonzalez.Maria@epamail.epa.gov]

Sent: Thursday, January 10, 2013 2:35 PM

**To:** Guevara, David **Cc:** Lawrence McCormack

Subject: Re: Kokomo Dump Site

As discussed on the call on Monday, I am forwarding the other enclosures to our November 30, 2012 letter.

(See attached file: Kokomocostsummary09-30-2012.pdf)(See attached file: Kokomo AM Redacted.pdf)

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

SALLY JANSEN/R5/USEPA/US

01/16/2013 11:56 AM

To Maria Gonzalez

cc MARGARET HERRING, Shelly Lam, SALLY JANSEN

bcc

Subject Re: Fw: Kokomo Dump Site

### 1 line Ex. 5 deliberative Ex. 6

-----Maria Gonzalez/R5/USEPA/US wrote: -----

To: Shelly Lam/R5/USEPA/US@EPA From: Maria Gonzalez/R5/USEPA/US

Date: 01/15/2013 09:44AM

Cc: Jansen.Sally@EPA.GOV, MARGARET HERRING/R5/USEPA/US@EPA

Subject: Fw: Kokomo Dump Site

#### 2 lines Ex. 5 deliberative

Maria Gonzalez
Associate Regional Counsel
Mail Code C-14J
U.S. EPA Region 5
77 West Jackson Blvd.
Chicago, Illinois 60604
(312) 886-6630

----- Forwarded by Maria Gonzalez/R5/USEPA/US on 01/15/2013 09:42 AM -----

From: "Guevara, David" < DGuevara@taftlaw.com>

To: Maria Gonzalez/R5/USEPA/US@EPA,

Cc: Shelly Lam/R5/USEPA/US@EPA, SALLY JANSEN/R5/USEPA/US@EPA

Date: 01/15/2013 08:28 AM Subject: RE: Kokomo Dump Site

Maria,

Let's do the call on Friday at 10 CST (11 EST). I was planning on being the only person on the call on behalf of the City. Do you think it would be beneficial to have the City's environmental consultant on the call too? Also, do you want to call me at (317) 713-3453? Please advise.

Thank you.

# Taft /

David L. Guevara, Ph.D. / Attorney

Taft Stettinius & Hollister LLP
One Indiana Square, Suite 3500
Indianapolis, Indiana 46204-2023
Tel: 317.713.3500 • Fax: 317.713.3699

Direct: 317.713.3453

www.taftlaw.com / DGuevara@taftlaw.com

From: Gonzalez.Maria@epamail.epa.gov [mailto:Gonzalez.Maria@epamail.epa.gov]

Sent: Monday, January 14, 2013 1:30 PM

To: Guevara, David

Cc: Lam.Shelly@epamail.epa.gov; Jansen.Sally@EPA.GOV

Subject: RE: Kokomo Dump Site

We are available at the following times the rest of the week, in central time. The noon to 1 PM CT (1-2 ET) time slots on Tuesday, Wednesday or Thursday would give us a full hour for discussion, but let me know what times work best for your folks.

Tuesday - 12:00 to 1:00 CT Wednesday - 12:00 to 1:00 or 2:40 to 3:10 Thursday - 12:00 to 1:00, or 3:00 to 3:30 Friday - 10:00 to 10:30

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

"Guevara, David" ---01/14/2013 10:31:18 AM---Maria, I apologize for not returning your voice mail messages yet; and, I am tied up the rest of the

From: "Guevara, David" < DGuevara@taftlaw.com > To: Maria Gonzalez/R5/USEPA/US@EPA,

Date: 01/14/2013 10:31 AM Subject: RE: Kokomo Dump Site

#### Maria.

I apologize for not returning your voice mail messages yet; and, I am tied up the rest of the day today. However, I am available for a call anytime that is convenient for you during the remainder of this week.

Please advise.

Thank you.

## Taft /

David L. Guevara, Ph.D. / Attorney

Taft Stettinius & Hollister LLP
One Indiana Square, Suite 3500
Indianapolis, Indiana 46204-2023
Tel: 317.713.3500 • Fax: 317.713.3699

Direct: 317.713.3453

www.taftlaw.com / DGuevara@taftlaw.com

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From: Guevara, David

**Sent:** Thursday, January 10, 2013 3:02 PM **To:** 'Gonzalez.Maria@epamail.epa.gov'

**Cc:** Lawrence McCormack

Subject: RE: Kokomo Dump Site

Thank you, Maria.

Would you like to schedule a call to discuss the attached letter? Or, will you be issuing a response without a call?

Please advise.

Thank you.

**From:** Gonzalez.Maria@epamail.epa.gov [mailto:Gonzalez.Maria@epamail.epa.gov]

Sent: Thursday, January 10, 2013 2:35 PM

**To:** Guevara, David **Cc:** Lawrence McCormack

Subject: Re: Kokomo Dump Site

As discussed on the call on Monday, I am forwarding the other enclosures to our November 30, 2012 letter.

(See attached file: Kokomocostsummary09-30-2012.pdf)(See attached file: Kokomo AM Redacted.pdf)

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

Maria To "Guevara, David"
Gonzalez/R5/USEPA/US

cc Shelly Lam

bcc

Subject RE: Kokomo Dump Site

I will put in a request for an update.

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

"Guevara, David" Maria, As you are aware, I am worki... 01/28/2013 02:02:14 PM

From: "Guevara, David" <DGuevara@taftlaw.com>
To: Maria Gonzalez/R5/USEPA/US@EPA,

Date: 01/28/2013 02:02 PM Subject: RE: Kokomo Dump Site

#### Maria.

As you are aware, I am working with the City of Kokomo's insurance carrier on an agreement to fund the costs associated with the proposed Administrative Settlement Agreement and Order on Consent for Removal Action. The negotiations are going well and, at present, we are trying to identify all "past costs," up through December 31, 2012, incurred by or on behalf of the City of Kokomo or the US EPA in response to the above-referenced matter. Accordingly, can you update the US EPA's Itemized Cost Summary to include all costs incurred by the US EPA through December 31, 2012. As before, I need the concomitant backup documentation too.

Please advise.

Thank you.

# Taft /

David L. Guevara, Ph.D. / Attorney

Taft Stettinius & Hollister LLP
One Indiana Square, Suite 3500
Indianapolis, Indiana 46204-2023
Tel: 317.713.3500 • Fax: 317.713.3699

Direct: 317.713.3453

www.taftlaw.com / DGuevara@taftlaw.com

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From: Gonzalez.Maria@epamail.epa.gov [mailto:Gonzalez.Maria@epamail.epa.gov]

**Sent:** Tuesday, January 22, 2013 6:46 PM

To: Guevara, David

Cc: Jansen.Sally@epamail.epa.gov; Lam.Shelly@epamail.epa.gov

Subject: RE: Kokomo Dump Site

As a follow-up to our call on Friday, I am attaching a copy of our itemized cost summary and including a link to the 2009 ARC memo.

Here is the itemized cost summary for our costs through September 30, 2012. (See attached file: KokomolCS093012.pdf)

The following link contains the ARC Memo:

http://www.epa.gov/compliance/resources/policies/cleanup/superfund/interim-settle-arc-mem.pdf

Maria Gonzalez Associate Regional Counsel Mail Code C-14J U.S. EPA Region 5 77 West Jackson Blvd. Chicago, Illinois 60604 (312) 886-6630

Shelly Lam To cc bcc

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- FW AOC (26).msg

Shelly Lam To cc bcc

Subject UPLOAD C:\Users\slam\Desktop\Kokomo Dump Outlook E-mails\FW AOC (130).msg

- FW AOC (130).msg

Shelly Lam To cc bcc

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- FW AOC.msg

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Shelly Lam	То	
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- Kokomo Dump Costs (127).msg

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Shelly Lam	То	
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Shelly Lam	То
	СС
	bcc

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Shelly Lam

To

cc

bcc

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AOC Documents.msg

- Kokomo Dump Site C564 Status Update 04 11 13 - AOC Documents.msg

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Maria Gonzalez

To
cc
bcc

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Kokomo Dump Costs.msg

- RE Kokomo Dump Costs.msg

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Shelly Lam To cc bcc

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- Kokomo Dump Site SA\_TO-01-11-08-0018 for Aug-2011.pdf

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- Kokomo Dump Site SA\_TO-01-11-08-0018 for Aug-2011\_Redacted.pdf

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- Kokomo Dump Site SA\_TO-01-11-08-0018 for sEP-2011\_Redacted.pdf

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- Kokomo Dump Site SA\_TO-01-11-08-0018 for Oct-2011.pdf

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Subject UPLOAD C:\EPAWork\Projects\Kokomo Dump Site\Financial and Site Monitoring Files\MPR\2012-02\Kokomo Dump Site SA\_TO-01-11-08-0018 for Feb 2012 (2).pdf

- Kokomo Dump Site SA\_TO-01-11-08-0018 for Feb 2012 (2).pdf

Maria Gonzalez

To

cc

bcc

Subject UPLOAD

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Aug-2011\_Redacted.pdf

- Kokomo Dump Site SA\_TO-01-11-08-0018 for Aug-2011\_Redacted.pdf

Maria Gonzalez То СС bcc

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Dec-2011\_Redacted.pdf

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Maria Gonzalez

To

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- Kokomo Dump Site SA\_TO-01-11-08-0018 for Feb 2012 (2)\_Redacted.pdf

Maria Gonzalez To cc bcc

Subject UPLOAD

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Oct-2011\_Redacted.pdf

- Kokomo Dump Site SA\_TO-01-11-08-0018 for Oct-2011\_Redacted.pdf

Maria Gonzalez То СС bcc

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sEP-2011\_Redacted.pdf

- Kokomo Dump Site SA\_TO-01-11-08-0018 for sEP-2011\_Redacted.pdf

Shelly Lam To cc bcc

Subject UPLOAD C:\Users\slam\Desktop\Kokomo Dump Outlook E-mails\11 30 12 correspondence.msg

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Shelly Lam To cc bcc

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Shelly Lam	To
	СС
	boo

Subject UPLOAD C:\Users\slam\Desktop\Kokomo Dump Outlook E-mails\Fw Kokomo Dump Site (46).msg

- Fw Kokomo Dump Site (46).msg

Shelly Lam

To

cc

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- Fw Kokomo Dump Site (81).msg

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- RE AOC for review Kokomo Dump Site (96).msg

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- RE AOC for review Kokomo Dump Site.msg

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Shelly Lam	То	
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- Kokomo AM.pdf

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Maria Gonzalez

To
cc
bcc

Subject
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Kokomo Dump Site.msg

- Fw Kokomo Dump Site.msg

SALLY JANSEN

То

СС

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- FW .msa

SALLY JANSEN То СС

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- Fw Kokomo Dump Site.msg

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SALLY JANSEN То СС bcc

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- RE Confidentiality Agreement.msg

SALLY JANSEN

To cc

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Shelly Lam

To

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- Fw RE Kokomo Dump Site.msg

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Shelly Lam	То	
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Subject UPLOAD C:\Users\slam\Desktop\Kokomo Dump Outlook E-mails\RE FW (87).msg

- RE FW (87).msg

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Shelly Lam

To

cc

bcc

Subject UPLOAD C:\Users\slam\Desktop\Kokomo Dump Outlook
E-mails\Re Kokomo Dixon Road (119).msg

- Re Kokomo Dixon Road (119).msg

Subject UPLOAD C:\Users\slam\Desktop\Kokomo Dump Outlook E-mails\Re RE Kokomo Dump Site.msg

- Re RE Kokomo Dump Site.msg

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- Re Re RE Kokomo Dump Site.msg

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Maria Gonzalez

To

cc

bcc

Subject

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Kokomo Dixon Road.msg

- Re Kokomo Dixon Road.msg

SALLY JANSEN

СС

То

bcc

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SALLY JANSEN То СС bcc

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- FW Kokomo request for extension to sign the AOC.msg

SALLY JANSEN To cc

bcc

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Settings\SJANSEN\Desktop\Kokomo FOIA\KOKOMO

ACCESS AGREEMENT.msg

- KOKOMO ACCESS AGREEMENT.msg

**SALLY JANSEN** То

СС

bcc

Subject UPLOAD C:\Documents and

Settings\SJANSEN\Desktop\Kokomo FOIA\KOKOMO DUMP SITE AOC SIGNED 08 01 2013

2 lines Ex. 5 deliberative

- KOKOMO DUMP SITE AOC SIGNED 08 01 2013 (CERTIFIED).msg

1 line Ex. 5 deliberative

SALLY JANSEN To cc

bcc

Subject UPLOAD C:\Documents and Settings\SJANSEN\Desktop\Kokomo FOIA\Map.msg

Subject UPLOAD C:\Users\slam\Desktop\Kokomo Dump Outlook E-mails\RE FW (75).msg

- RE FW (75).msg

EPA-R5-2013-005799RR-101	
Shelly Lam	То
	СС
	bcc

Subject UPLOAD C:\EPAWork\Projects\Kokomo Dump Site\Final Deliverables\App C - Validation memo -Kokomo dump.pdf

- App C - Validation memo -Kokomo dump.pdf